REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

The Examiner is thanked for an extensive "Response to Arguments" section at pages 7-10 of the final Office Action dated 05/23/2005. In part, it appears that there may have been some mis-communication and/or that the Examiner was of the view that the claims were not as limited as the argument. In an attempt to resolve all such issues, an RCE and the above amendment have now been filed and the following remarks are offered.

If the Examiner continues to feel that there is inaccuracy in the applicant's view of the facts and/or that the claims need some further limitation so as to be consistent with the distinguishing arguments that have been made and are being made, then it is respectfully requested that the Examiner telephone the undersigned for a conference so that any such remaining issues can be quickly resolved.

The rejection of claims 10-40 under 35 U.S.C. §102 as allegedly anticipated by Byham '231 is again respectfully traversed.

The Examiner's argument appears to rest on three main allegations (explicit or implicit) (1) the lack of distinction between control messages and packets; (2) the absence of words which distinguish the three port connector as such; and (3) the interpretation of the arbitration path in Byham as a control path "separate" from the data path.

In Byham, all the stack configuration (i.e., the requests and grant messages, and the unit ID number - called box ID in Byham) are carried in header fields A0 to A2 of the addressed

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packets and the data path (which is the only one) is used. There is manifestly no separate control path for point-to-point messages. The term "arbitration path" is used in Byham merely to indicate that portion of the data path along which packets that have an arbitration header travel.

The present applicants, Poulter et al., devised a system in which all the stack numbering is done out of band (i.e., is not carried by the addressed data packets on the data path). One main technical advantage is the removal of the stack control from the main data path and the consequent saving of bandwidth in the data path. A subsidiary effect is that misconfiguration by incorrect connection of the cables is easier to cure. The stack numbering and the control of the multiplexers in the three-port connector are performed by "point-to-point" control messages. These are not addressed packets. This is what point-to-point means. For "point-to-point" see text page 9, lines 3 and 4; and page 15, lines 14 to 27 and particularly line 25. In Byham all "messages" are addressed data packets; they all have MAX addresses and necessarily so because at least the arbitration process (Figure 7) depends on the existence of MAC addresses in the packets; they cannot be "point-to-point" messages.

The amendments are address assumptions (2) and (3) above. The ports are now specified as external ports. If one has a three port connector with three and only three external ports it is surely a separate connector. It should be clear that the elements in Figure 3 of Byham are integral to a communication unit and that the interface (the spice buses 126 and 125) is not an external port.

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Further, where appropriate, the ports have been specified as having separate lines for the

packets and the control messages. This is plainly not so for the ports in Byham. The up and

down ports have transmit and receive lines but all convey the addressed packets.
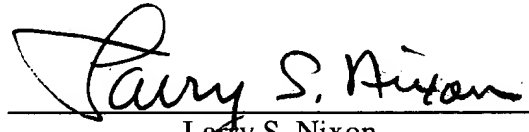
Claim 10 now specifies that the control messages travel only on the control path and the

packets only travel on the data path. In Byham the packets travel on both the 'arbitration' path

and the 'request' path.

Accordingly, this entire application is now believed to be in allowable condition and a

formal Notice to that effect is respectfully solicited.

Respectfully submitted,

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